Current Trends in Transition: Thumbs Up or Thumbs Down?

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Getting Research into Practice....still

Catherine Fowler, NSTTAC

Practices & Predictors

- 30 years of research
- law & effective practices
- tools for implementing practices that are effective
- tools for evaluating programs
- never finished...but making progress

What's Needed / What's Happpening

- effective transition focused academic instruction
- effectiveness for different populations/ settings
- effective practices support compliant practices
- o data & descriptions from local implementation
- tools (modules, curricula, guides) to make it doable
- focus on ALL students

Resources

- www.nsttac.org
- www.betterhighschools.org
- www.transitioncoalition.org
- www.ndpc-sd.org
- www.ncwd-youth.org
- www.careertech.org

Legal Trends in Transition

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Court Cases Related to Transition **Principles**



- •Luke P v Thompson Valley School District, Colorado
- K.L. v Mercer Island School District, Washington
- James S. v. Milwaukee **Public Schools**

Rowley Standard

- Hendrick Hudson Central School District Board of Education v. Rowley, 458 U.S. 176, 200,
 Supreme Court mandated that EHA offers "minimum educational benefit"
 Basic floor of educational opportunity
 Codillo va Chevrolet argument

- Cadillac vs. Chevrolet argument
- Now, 25 years after Rowley, purpose of IDEA has shifted from providing access to educational services to providing meaningful and measurable programs within the context of gen. ed. We may be held to a higher standard today in the provision of educational services and FAPE

Luke P. v. Thompson S.D. (2008)

- A youth with autism (now 16)
- Able to do certain skills at school but they did not generalize to home
- Home behaviors were untenable, includir eating, sleeping, dressing, toilet training, and incidences of violence against family
- Parents asked for residential treatment center and moved Luke P. to Higashi School in MA, then sued Thompson Valley S.D. for tuition reimbursement



School for Luke

- Parents moved Luke P. to Higashi School in MA, then sued Thompson Valley S.D. for
- tuition reimbursement
 Luke was at Higashi school for four years at a cost of approx. \$160k per year.
- "...all education has as its purpose the advancement of knowledge and skills so that the student can reasonably apply them in other contexts...public schools must accord some educational benefit...must address issues of generalization.."(2005, Due Process Decision)

Court of Appeals, 10th Circuit, Overturns District Court Decision August 29, 2008

- Generalization is a critical skill for self-sufficiency but IDEA may not attach "essential importance" to it
- "Congress did not provide in IDEA a guarantee of selfsufficiency for all disabled persons"
- Congress established procedures to guarantee disabled students access and opportunity, not substantive outcomes (Rowley Standard)

And Now?

- Parents appealed to U.S. Supreme Court but were
- Luke back at Higashi School but it is unclear who is funding his tuition

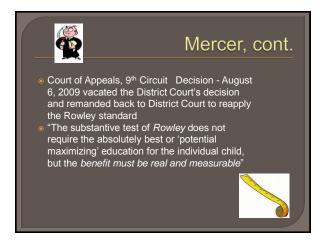


K.L and Mercer Island School District (2006)

- K.L was a 17 year old with severe learning disabilities that impacted her reading and writing skills.

 After several years at Mercer Island S.D, parents unilaterally placed K.L. in Landmark School in MA and sued for tuition reimbursement for her 10th, 11th, and 12th grade years.

 Transition goals stated that K.L would attend community college and engage in competitive employment "...[IDEA '97] clearly states it commitment to "our national policy of ensuring equality of conportunity full participation.
- policy of ensuring equality of opportunity, full participation, independent living, and economic self-sufficiency for individuals with disabilities"
- ..IDEA "97 is simply not about 'Access:' it is focused on "transition services....an outcome-oriented process, which promotes movement from school to post-school activities...

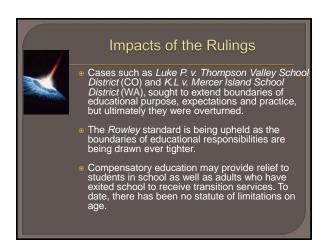


So, Courts are upholding the Rowley Standard. What's Next? Compensatory Education for Postschool relief?

- Compensatory education has been awarded to remedy the denial of FAPE
- Usually occurs while a child is still in school (e.g., extended school year, intensive therapies, one-on-one)

James S. v. Milwaukee Public Schools June 9, 2009 • A class action suit brought before the Wisconsin Department of Public Instruction and Milwaukee Public Schools – 7 and ½ years so far • Both DPI and MPS were found in violation of IDEA (specifically, FAPE) • DPI settled with students, MPS is now under court order to seek remedies

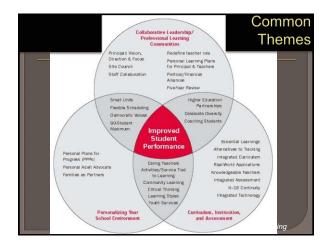




Secondary School Reform:
Thumbs Up or Thumbs Down?

Mary E. Morningstar
Transition Coalition, University of
Kansas

Where Did Secondary School Reform Come From? Before 1995? (Standards-based reform, school to work reform, comprehensive school reform....) 1996: National Association of Secondary School Principals (NASSP) Breaking Ranks I & II 2000(ish): Bill & Melinda Gates College-Ready for All 2005: National Governor's Association P-16 Cradle to College Systems 2006: National High School Center launched 2007(ish) Response to Intervention 2010: National Governors' Association (NGA) & Council of Chief State School Officers (CCSSO) College and Career Ready Standards (CCSS) 2010: National Assoc. of State Boards of Ed High School Redesign

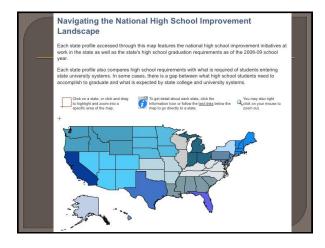


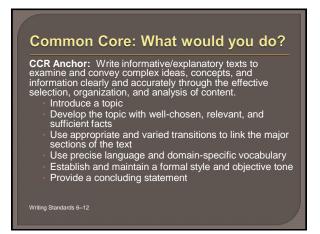
Common Features of Multi-Tiered Models

- Tiered system of matching interventions to meet academic and behavioral needs
- Systematic screening of young children using scientifically acceptable measures
- Interventions are evidence-based
- Progress monitoring of students to make informed decisions and track progress
- Decision rules concerning levels of support (tiers) provided by examining the data

What's Different about Secondary Schools?

- Developmentally different learners
- Student engagement in learning
 Youth literacy student interest + out of school discourse
 Demands of curriculum and environment
- Curricular demands sophisticated language tools to obtain information and concepts
 - Structure and culture of schools
 - Sense of urgency
- Teacher roles = content specialists
 High stakes for graduation
 Postschool outcomes for youth
 - 74% graduation rate among HS freshmen
 - Societal costs of dropouts Lowest-performing readers most likely to drop out (3.5-20 times greater risk) College to Career Readiness





What's it Mean for Transition?

- We are student-focused!
- Our practices will keep students engaged in school & prepared for college and careers
- Need to learn what reform activities are going on in your district/state
- Collaborate!!!
 - Arizona (Common Core + 21st Century Schools)
 - Embed transition-related activities w/in common core standards
 - Advocate for postschool outcomes data on ALL students

Current
(and future)
trends in transition

Dr. Ed O'Leary

Snapshot of Possible Futures in Transition

- Age for transition = beginning at 14 years of age.
- Getting to 100% on I-13 better documentation.
- New language, concepts and practices that will stretch our past paradigms
- Increased emphasis on career preparation, work experience in schools and employment as a primary post school outcome.
- Increased emphasis on transition for youth with significant disabilities
- Clear direction to actively engage and empower youth with disabilities to set directions for their future (self-determination, informed choice), be active members in transition planning and learn how to self-advocate.
- Expand post-school outcomes beyond education/training, employment independent living to include community participation.
- Greater emphasis on family involvement and engagement during the transition process.
- Emphasis on improving coordination and blending/braiding of services and resources across all agencies at all levels.
- Movement away from programs and services that are segregated and involve primarily people with disabilities as an acceptable post-school outcome.

O'Leary, E. 2011

Changes in Practices Based Upon the Following:

- Evidence-based research has conclusively documented that youth with significant disabilities who were <u>educated</u> in inclusive <u>settings</u>, were <u>exposed</u> to <u>work experience</u> <u>and career exploration</u>, and <u>participated</u> in a <u>paid work experience while</u> in <u>school</u> <u>had</u> <u>better postsecondary outcomes and higher rates of sustainable employment.</u>
- Higher rates of <u>self-determination</u>, in which individuals with significant disabilities and their families have <u>direct control over the decision-making process</u> in order to ensure an appropriate individualized transition stratero, lead to better quiccomes.
- Regulations and processes allowing for <u>(lexibility</u> in the <u>blending and braiding of</u> government funds to ensure seamless, collaborative strategies during the transition process <u>lead to better outcomes</u> for individuals with significant disabilities.
- Agency <u>officials involved directly in the provision of supports and services</u> during a
 youth's transition into adulthood and beyond <u>must be provided additional training</u> to
 become properly prepared to adequately address the individual transition needs of
 students with significant disabilities.

Changes in Practices Based Upon the Following:

- ation in post-secondary education Inities to develop social, civic, and leadership skills

Purpose - Emphasis

Key concepts and practices:

Introduced Legislation **Transition Services**

H. R. 602 - To amend the <u>Individuals with Disabilities Education Act</u> to make improvements to the individualized education program under that Act and facilitate the transition of children with disabilities to adulthood, and for other purposes.

H. R. 603 - To amend the <u>Developmental Disabilities Assistance and Bill of Rights Act of 2000</u> to provide assistance to States for development and implementation of an individual transition plan for each individual with a developmental disability in the State who is making the transition from the secondary school system into adulthood, and for other purposes.

F. R. 804 - To amend the Rehabilitation Act of 1973 to authorize grants for the transition of youths with significant disabilities to adulthood, and for other purposes.

Definitions

Transition Services

Designed to be within a results –oriented process...To facilitate the student's movement from school to post-school activities, including... Add "customized"

Includes instruction, related services, community experiences...

- does not include facility-based employment or activity settings, such as sheltered workshops, day habilitation centers, mobile work crews, or

Definitions

Transition Services

Includes instruction, related services, community experiences... Add

school-based preparatory experiences, career preparation, and integrated work-based learning experiences (inclusive of in-school, after school and work experiences outside the traditional school setting where other youth without disabilities are engaged in similar activities); youth development and leadership; connecting activities; training in self-advocacy, self-determination skills, and peer mentoring; family involvement and supports;

Such term does not include the use of facility-based employment and activity settings, such as sheltered workshops, day habilitation centers, and enclave work settings.

Additionally, the coordinated set of activities should lead to the attainment of at least one of the following outcomes: post-secondary education, long-term integrated employment (including supported employment or customized employment), asset development, independent living, and community participation.

Definitions

NTEGRATED EMPLOYMENT. The term 'integrated employment' means work compensated at the preater of minimum wage or competitive wages with related employment benefits, occurring in a spical work setting where the employee with the disability interacts or has the opportunity to interact continuously with non-disabled co-workers, has an opportunity for advancement and mobility, and is referably engaged in full-time employment.

ASSET DEVELOPMENT. The term 'asset development' means a strategy to assist tow-income workers and job seekers, including individuals with disabilities, move toward economic security and greater financial self-sufficiency through income preservation, effective money and credit groups the pursuit of post-secondary education, the purchase of a home, business startup and growth, and the setting aside of resources for longer-term needs and retirement.

ASSET DEVELOPMENT SERVICES - The term 'asset development services' means services relating to asset development, including services such as financial education, tax filing assistance and access to beneficial tax credits and other provisions, and use of social security work incentives and individual development accounts (IDAs) and coordination with other savings programs, including family self-sufficiency programs, college savings accounts, and home and small business ownership assistance.

State Eligibility Plan Requirement

H.K. 6UZ — IDEA

NEW-PLAN RELATING TO TRANSITION SERVICES

THE STATE HAS ESTABLISHED A PLAN TO:

- Ensure that the SEA coordinates efforts among ... State agencies involved in the successful transition of youth with disabilities into adulthood
- Align practices and direct resources toward the effective provision of transition services to address the needs of children with disabilities, including:
- involvement and progress in the general curriculum in the least restrictive environment
 academic and school-based preparatory experiences

- youth development and leadership
 comprehensive community connections, and
 family involvement and engagement.

Summary of Performance

Provide the student – and the student's parents not later than 7 days after the student's eligibility terminates with;

- . A summary of the student's academic achievement and functional performance which includes recommendations on how to assist the student in meeting the student's postsecondary goals, and
- A <u>comprehensive record of the child's work experiences, skills, talents and strengths</u> relevant for discussions with prospective employers, post-secondary education programs, career placement services, and mentors.

IEP's

Beginning not later than the first IEP to be in effect when the child attains the age of 14 and updated at a minimum annually

- Appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills
- The transition services (including courses of study and work experience) that will be provided to assist the student in reaching the postsecondary goals; and
- A description of the <u>training in self-advocacy</u>, <u>development of self-determination activities</u>, and the <u>skills</u> needed to participate in <u>making informed choices</u> to <u>prepare and empower the child to negotiate and advocate on the child's own behalf</u>.

ADDITIONAL RULE OF CONSTRUCTION

Nothing in clause shall be construed to authorize the use of facility-based employment or activity settings, such as sheltered workshops, day habilitation centers, mobile work creves, or enclave work settings in a child's IEP.

IEP Team

A representative of the State intellectual and developmental disabilities agency

Beginning at age 14 - with respect to a child with a disability who is expected to be eligible to receive adult services under the State Medicaid program under title XIX of the Social Security Act (or any services provided under a waiver under such program) or any other adult services provided by the State intellectual and developmental disabilities agency upon reaching the age of majority - a representative of the State intellectual and developmental disabilities agency.

IEP Development

Development of the IEP

EPARATION FOR DEVELOPMENT OF IEP FOR A CHILD IN TRANSITION YEARS

The IEP Team, upon the request of a child who has attained the age of 14, shall—

- offer a preliminary meeting and advocacy training for the child and child's parents to support the preparation of the parents in advocating on their child's behalf during any upcoming IEP team meeting that will be conducted by a certified trainer with specific experience in self-advocacy and family advocacy training; and
- ensure that all pertinent information, including school records, educational materials
 regarding transition services available and background information on any preexisting partnerships between the local educational agency and any outside providers
 of transition services or post-secondary education, is sent to the child at least ten
 days prior to the IEP team meeting

IEP TEAM CONSIDERATION OF SPECIAL FACTORS

 the transition services necessary to assist the child to attain a postsecondary education, integrated employment, independent living, and community participation.

Development of the IEP

Review and Revision of the IEP

Beginning when the child attains the age of 14, [the IEP Team]

- Evaluates the progress made in achieving the child's transition objectives identifying challenges and opportunities
- Discusses any additional transition services that need to be secured to optimize the child's successful completion of transition objectives ...[that] ... lead to postsecondary education, integrated employment, independent living, and community participation.

Grants for Establishment of Local Coordinators for Transition Services H.R. 602

The Secretary is authorized to provide grants to State educational agencies to provide authorization, funding, and support to local educational agencies to establish coordinators to provide transition services to children with disabilities under this part.

Coordinators established under paragraph shall-

- facilitate relationships between children [students] with disabilities and parents of children with disabilities and public and private agencies involved in transition services for children with disabilities

Transition toward Excellence, Achievement and Mobility through Education Act of 2011 or TEAM-Education Act of 2011 (HR 602)

mends the Individuals with Disabilities Education Act. to allow states to use special education grant funds contract with entries that have the experience to assist disabled children in accomplishing the transition objective timed in their individualized Education Programs (EIPs).

H. R. 603

Transition toward Excellence, Achievement, and Mobility through Empowerment Act of 2011 or the TEAM-Empowerment Act of 2011

Transition toward Excellence, Achievement, and Mobility through Employment Act of 2011 or TEAM-Employment Act of 2011 sthe Rehabilitation Act of 1973 to extend from 18 to 48 months the length of time a designated state unit may supported employment services, including; (1) extinities related to eustomized employment, or (2) a set of semplemented during the search for employment leading to an integrated employment outcome for an integrated employment outcome for an

- prams.

 s an eligible entity to one grant or contract during a five-year period.

 iibits the use of grant funds for activities that result in such youths being placed in facilitydd segregated services as an employment outcome or post-secondary outcome.

 blishes a National Coordination Center on Systems Change and Transformation in the

 sition of Youths with Significant Disabilities into Adulthood.

Employment includes these essential elements: Being the first and preferred outcome for working-age youth and adults with disabilities, including those with complex and significant disabilities, for whom working in the past has been limited, or has not traditionally occurred. Using typical or asstonized employment techniques to secure membership in the workforce, where employees with disabilities are included on the payroll of a competitive business or industry or are self-employed business owners. Assigned work tasks offer at least minimum or prevailing wages and benefits. Opportunities exist for integration and interactions with co-workers without disabilities, with customers, and/or the general public. Employment First - Nito Province and County of the C



"Customized Employment" Customized employment will often take the form of: Task reassignment Task reassignment allows the existing worker to focus on the critical functions of his/her job (i.e., primary job responsibilities) and complete more of the central work of the job. Task reassignment typically takes the form of job creation, whereby a new job description is negotiated based on current, unmet workplace needs. Job carving: An existing job description is modified — containing one or more, but not all, of the tasks from the original job description. Job sarving: An existing job description is modified — containing one or more, but not all, of the tasks from the original job description. Job sharing: Two or more people share the tasks and responsibilities of a job based on each other's strengths. Less common — though becoming more established throughout the country — is Self-Employment as a form of Customized Employment. Self Employment allows for an individual to receive assistance in the creation of an independently owned small business (typically a micro enterprise, under five employees) based on the strengths and dreams of an individual and the unmet needs of a local market while incorporating the individualized planning and support strategies needed for success.

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